

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 12 AUGUST 1884

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LEGISLATIVE COUNCIL.

Tuesday, 12 August, 1884.

Federal Council of Australasia.—Absence of Postmaster-General.—Divisional Boards Endowment Bill—third reading.—Probate Bill of 1884—third reading.—Patents, Designs, and Trade Marks Bill.—Native Birds Protection Act Amendment Bill.—Oaths Act Amendment Bill.—Insanity Bill—second reading.—Native Labourers Protection Bill—second reading.—Sale and Use of Poisons Bill—second reading.—New Guinea and Pacific Jurisdiction Contribution Bill—committee.—Adjournment.

The PRESIDENT took the chair at 4 o'clock.

FEDERAL COUNCIL OF AUSTRALASIA.

The PRESIDENT announced that he had caused the Address to Her Majesty, agreed to by that House on the 5th instant, to be engrossed and forwarded to His Excellency the Governor, to be transmitted to the Secretary of State for the Colonies for presentation, and that he had received His Excellency's reply thereto.

ABSENCE OF THE POSTMASTER-GENERAL.

The HON. W. H. WALSH said that, in consequence of the absence of the Postmaster-General through indisposition—which he was sure all hon. members regretted—he had been asked to take charge of such Government business as was to be done that afternoon. He believed there was important business to come from the other Chamber, to which he would ask hon. gentlemen to give their time.

DIVISIONAL BOARDS ENDOWMENT BILL—THIRD READING.

On the motion of the HON. W. H. WALSH, the Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly with message in the usual form.

PROBATE BILL OF 1884—THIRD READING.

On motion of the HON. P. MACPHERSON, the Bill was read a third time, passed, and ordered to be transmitted to the Legislative Assembly for their concurrence, by message in the usual form.

PATENTS, DESIGNS, AND TRADE MARKS BILL.

The PRESIDENT announced that he had received a message from the Legislative Assembly, forwarding a Bill to amend and consolidate the law relating to patents for inventions and the registration of designs and trade marks, for the concurrence of the Legislative Council.

On the motion of the HON. W. H. WALSH, the Bill was read a first time, and the second reading made an Order of the Day for Tuesday next.

NATIVE BIRDS PROTECTION ACT AMENDMENT BILL.

The PRESIDENT announced that he had received a message from the Legislative Assembly, forwarding a Bill to amend the Native Birds Protection Act of 1877, for the concurrence of the Legislative Council.

On motion of the HON. P. MACPHERSON, the Bill was read a first time, and its second reading made an Order of the Day for Tuesday next.

OATHS ACT AMENDMENT BILL.

The PRESIDENT announced that he had received a message from the Legislative Assembly, forwarding, for the concurrence of the Legislative Council, a Bill to amend the law relating to the administration of oaths in courts of justice.

On motion of the HON. P. MACPHERSON, the Bill was read a first time, and the second reading made an Order of the Day for Tuesday next.

INSANITY BILL—SECOND READING.

The HON. W. H. WALSH said he felt bound to explain that he should not have attempted to move the second reading at such short notice had the measure not been passed—the identical measure, he believed—by that House twice before. It was first introduced by the Hon. Mr. Buzacott when he was Postmaster-General, and afterwards by the Hon. Mr. Morehead when he occupied that position; and on each occasion the Bill passed through. He consequently felt that his task was very much relieved, and that he was justified in asking hon. gentlemen to consent to the motion he was about to make. It was after the measure passed its second stage in that Chamber that hon. gentlemen gave it most consideration—namely, in committee; and he therefore moved that the Bill be read a second time.

The HON. T. L. MURRAY-PRIOR said that, as the Hon. Mr. Walsh stated, the Bill was passed by the Legislative Council in two different sessions; but although it was of great importance it was numbered among the “innocents” on each occasion. Now, however, he was glad to see that the Bill, having passed the Assembly, merely required the assent of that Chamber before it became law. He rose principally to state that as a rule it was practically better that Bills should originate in another place.

Question put and passed, and committal of the Bill made an Order of the Day for Tuesday next.

NATIVE LABOURERS PROTECTION BILL—SECOND READING.

The HON. W. H. WALSH said that the Bill, like that which had just been read a second time, would receive every consideration in committee. Like the other, also, it originated in the Legislative Council, and he had no hesitation in moving that the Bill be read a second time.

The HON. T. L. MURRAY-PRIOR said he hoped the Hon. Mr. Walsh would put off the committal of the Bill for a week, as it would require much consideration.

The HON. A. C. GREGORY said it was just as well before they passed the second reading to draw the attention of the hon. gentleman in charge of the Bill to clause 12, which said:—

“The provisions of this Act shall not apply to any native labourer who is employed as a boatman on board of any boat in any port in Queensland, with the sanction in writing of the principal officer of Customs of that port.”

“In the case of a native labourer who is carried direct in a vessel to any such port for the purpose of being engaged under the provisions of this Act (the proof of which purpose shall be upon the person alleging the fact), the provisions of this Act shall not apply in respect of such native labourer while he is being so carried.”

If one asked an aboriginal to take him across the river, and gave him a penny—unless he held written authority to do so, they would both find themselves committing an offence against the

Act if the Bill became law. The Brisbane River was the port of Brisbane, and it seemed very hard that a person should not be allowed to employ a Queensland blackfellow to put him across, to take him out fishing, or to haul a net. That was a matter which required the attention of hon. gentlemen.

Question put and passed.

The HON. W. H. WALSH said he thought it better to follow the usual practice, and move that the committal of the Bill stand an Order of the Day for Tuesday next. From what he had heard, he fancied there would be little work done next week; and even if hon. gentlemen were disposed to go on with business, no doubt the Postmaster-General would postpone the discussion of such an important measure to a further period, if necessary.

Question put and passed.

SALE AND USE OF POISONS BILL—SECOND READING.

The HON. P. MACPHERSON, in moving the second reading of this Bill, said he thought that the necessity of a measure of that sort could hardly be denied, considering the large quantities of poison consumed, for business and other purposes, in the colony. A Bill of that nature was, he thought, due not only to the safety of the public, but also in the interest of those who sold poisons. A friend of his, a wholesale chemist, informed him only that morning that during last year he imported 2,000 ounces of strychnine; and another friend, also a chemist, that during the same period he imported 1,200 ounces; and that was comparatively a small portion of the quantity of that one poison imported into the colony. As to the quantity of other poisons consumed here, there were no means of ascertaining from the Customs, but it must be very large indeed. The Bill to which he wished to draw the attention of the House that afternoon was adapted from the Poisons Act passed in New South Wales in 1876, which was adapted from the English statutes relating to poisons, and also the Arsenic Acts. The preamble of the Bill recited that—

“It is expedient for the safety of the public to regulate the sale of poisons, and to make provision for the exercise of proper precautions in the use of the same.”

The Bill contained three schedules. Schedule A, which stated what were poisons under the Bill, was divided into two parts, the first of which included “arsenic, prussic acid, strychnine, savin and its oil, ergot of rye and its preparations, chloral hydrate, and laudanum.” The 2nd clause enacted that—

“Every person who shall sell any poison specified in the first part of Schedule A shall, before the delivery thereof to the purchaser, inquire his name, place of abode, and occupation, and the purpose for which such poison is required or stated to be required; and shall thereupon make a faithful entry of such sale, specifying the poison and the quantity thereof, and all such particulars so given by the purchaser, together with the day of the month and year of such sale, in a book to be kept by the vendor for that purpose, in the form set forth in the Schedule C to this Act.”

The entry was to be signed by the person making it, and also by the purchaser. If the purchaser was unable to write, an entry was to be made to that effect; and in cases where a witness was required under the Bill, such entry was to be signed by the witness, together with his place of abode. There was also a proviso to the effect that—

“In cases where sales and purchases of poisons are made by correspondence, the letter ordering the same shall be preserved by the vendor, and a memorandum of the date of the said letter, by whom it was written, and the quantity and particulars of the poison therein ordered, shall be entered into the said book; and no person shall sell poison so ordered to any person with whose signature he is not acquainted, unless such

signature shall have been witnessed by a justice, clergyman, or public officer, or be authenticated by some person known to the vendor."

Then there was another restriction as to the sale of those deadly poisons, as he called them, forming the first part of Schedule A, and that was in clause 3, which said—

"No person shall sell any poison specified in the first part of Schedule A to any person who is under eighteen years of age, or who is unknown to the vendor, unless the sale be made in the presence of some witness who is known to the vendor, and to whom the purchaser is known, and which witness shall sign his name, together with his place of abode, to the required entry before the delivery of the poison to the purchaser."

Clause 4 provided that—

"It shall not be lawful to buy or sell any poison for the avowed purpose of destroying rats or other vermin infesting houses, unless the purchaser be a householder."

That was adopted from the New South Wales Act, but he thought it was rather stringent, and should not insist upon it being retained in committee, if the Bill got into committee. Clause 5 dealt with the selling of arsenic and strychnine, as regarded their being coloured; that provision was taken from the English Act. The next clause referred to penalties for offences under the Bill. Clause 7 dealt with exceptions to the clauses with reference to the sale of poisons, and provided that—

"This Act shall not extend to the sale of any poison when made up or compounded as a medicine according to the prescription of a medical practitioner, or in the form of homeopathic medicine, unless in the crude state, mother-tincture, or of a greater strength than the third potency; nor to the sale of patent medicines, or of photographic materials for the purpose of photography; nor to the sale of medicines dispensed by veterinary surgeons for animals under their treatment; nor to the sale of fly-poison paper, or packets of poisonous mixtures for the destruction of vermin, when duly marked as such. Nor shall it extend to any sale by wholesale dealers in the ordinary course of wholesale dealing, if an order in writing signed by the purchaser shall be given for the supply of the same. Provided that all such cases be entered in a book, and the packages of poisons be labelled as required by section 11."

Clause 11 enacted that—

"It shall not be lawful to sell any poisons specified in Schedule A hereto, or which may be hereafter declared, as hereinbefore provided, such, either by wholesale or retail, unless the bottle or other vessel, wrapper or cover, box or case, immediately containing the same bears thereon the word 'Poison' printed conspicuously, together with the name of the article and the name and address of the seller thereof."

Clause 8 provided that—

"The several substances named in Schedule A hereto shall be deemed poisons within the meaning of this Act."

And that the Governor in Council might from time to time add to the list. That was following the English practice, by which the Privy Council was able to declare, from time to time, what were poisons under the Act. Clause 9 enacted—

"After the time when this Act shall come into operation, no person shall sell any poison, unless he shall have received a certificate from the Queensland Medical Board that he is duly qualified to be a dealer in poisons."

In committee he would be prepared to add the words "or pharmacy board when established" after the words "Queensland Medical Board." Clause 10 provided for the qualification of persons who should receive certificates. It said:—

"No person shall receive such certificate unless he shall prove to the satisfaction of the said board that he has been duly admitted a pharmaceutical chemist by the Pharmaceutical Society of Great Britain, or a member or licentiate of the Apothecaries' Halls of London or Dublin; or has received a certificate as a legally qualified medical practitioner; or is entitled to be certified as such by law; or unless he be a person who shall at the time of the passing of the Act be carrying on business as a chemist and druggist in Queensland."

He proposed to add the words "or thereafter" after the words "passing of the Act," because the Bill as it then stood simply applied to chemists at present in practice. Then there was the proviso to the clause:—

"Provided always that, in places remote from large towns, any person who shall produce a certificate according to Schedule B from a legally qualified medical practitioner, and a police magistrate, that he is a fit and proper person to be allowed to sell poisons in such place, shall receive a certificate as a dealer in poisons."

That proviso was taken from the New South Wales Act. Clause 12 provided that—

"Any person selling any poison otherwise than is herein provided shall, upon summary conviction thereof before any two justices, be liable to a penalty not exceeding twenty pounds. And for the purposes of this section the person on whose behalf any such sale is made by any apprentice or servant shall be deemed to be the seller. Provided always that such apprentice or servant shall be liable to a like penalty."

That was an important provision and a very necessary one. Clause 13 gave the Governor power, with the advice of the Executive Council, to expunge from the register of persons qualified to sell poisons any person who might render himself unfit, through habitual drunkenness or otherwise, to perform his duties satisfactorily. Clause 14 gave the Governor in Council power to make regulations for the sale of poisons. Clause 15 provided that owners of poisons were "not to leave them about unlabelled, under a penalty." Clause 16 provided for appeal in cases of persons feeling aggrieved by any conviction under the Bill, and gave the details of the process of appeal. Clause 17 enacted that the Bill should come into operation on the 1st day of January, 1885. Those were all the observations he had to make on the second reading. He could only hope that the House would assist him to pass the Bill, which, as he again reiterated, he believed to be a necessary measure, the passing of which would give satisfaction to the country. He moved that the Bill be read a second time.

The Hon. T. L. MURRAY-PRIOR said that no doubt there might be some cause for introducing that Bill of which the House might be ignorant. In reading over Schedule A, he observed that nearly every article mentioned there had been in common use for nearly a quarter of a century. He alluded particularly to strychnine, which had been employed all over the country for poisoning native dogs, and for other purposes of that sort. He was sorry to say that in many cases that care had not been taken in putting it by that ought to have been exercised. Still he hardly knew of any case in which the poison had been administered to persons, owing to that neglect. He thought such cases were very few indeed. The Bill might work very well in towns; but he should like to know, from the hon. gentleman who had introduced it, how it would apply to those persons who resided in the bush and usually kept the poisons referred to for medical and other purposes, such persons not being medical practitioners or druggists? Were they to be fined? For instance, arsenic was a poison commonly used in the bush for killing rats and vermin—would persons in the bush keeping that poison be liable to be fined? He failed to see why poisons were divided into two parts. There were several poisons mentioned in the Bill, which were perfectly necessary for people living in the bush, out of the reach of medical aid, and a long way from any chemist's shop; and although he did not question the general principle of the measure, yet he would have to ask several questions in committee, and he trusted the hon. gentleman in charge of the Bill would answer them.

The Hon. P. MACPHERSON: Certainly.

The HON. W. H. WALSH said he thought that Bill ought to have been introduced by the Government. It seemed to him a measure of great importance, and he did not know how it had fallen into the hands of his hon. friend, the Hon. P. Macpherson. Probably a Bill of that importance should have the warranty of the Government of the day. But there was another and, to his mind, a stronger reason why they should hesitate about proceeding with that Bill, and that was that there was a committee of that House sitting to inquire into almost the very question it dealt with—in fact, the very question. The Pharmacy Committee were diligently pursuing their duties, and it might happen that, if the House proceeded with the Bill under discussion, by the time it was passed, that committee would bring up a report recommending something totally different. He did not mean to say that it would do so, but it might. He had never seen the Bill till that afternoon, but he knew that Parliament generally did not take into consideration a measure before a committee, appointed by one of its Chambers, brought up a report on the evidence taken by that committee. He found that it was the only Bill marked by the Postmaster-General as apparently one to which he objected on behalf of the Government. Personally, he had no objection to the second reading; but, having a certain duty to perform, he tried to perform that duty. As the hon. gentleman in charge of the Bill was aware, there was a committee sitting on the question, and he was inclined to think that if he had time he would be able to show that it was repugnant to the practice of Parliament to proceed with a measure under the consideration of a committee. There were some defects in the Bill which could no doubt be remedied when it got into committee, but they wanted the assurance that it would have the support of the Government. Without that assurance it was useless to proceed, and before the Government could give their support they must be assured, on the best evidence, that the measure would be for the good of the people at large.

The HON. A. C. GREGORY said the first question raised was in reference to the first and second parts of Schedule A. Clause 3 said:—

“No person shall sell any poison specified in the first part of Schedule A to any person who is under eighteen years of age, or who is unknown to the vendor, unless the sale be made in the presence of some witness who is known to the vendor, and to whom the purchaser is known, and which witness shall sign his name, together with his place of abode, to the required entry before the delivery of the poison to the purchaser.”

That applied to the first part of the schedule, and it was not necessary for persons buying the poisons mentioned in the second part to sign their names. The first contained a very serious class of poisons, and it was very objectionable that they should be in the hands of ordinary people, because much mischief might arise from their use. But if a person decided to use poison improperly, it could very easily be procured—in fact, it was not possible to include all poisons in the schedule unless they included everything. With a leg of mutton, a pound of soda, and an iron pot, he could make as much poison as would kill every man in that Chamber; but those articles, taken separately, were considered harmless. He simply gave that instance to show that the number of articles that might be included in the term “poison” was so large that they could not all be included in the schedule. But the list contained the chief poisons that were dangerous to human life, and from which most accidents had arisen. As to the Bill being one which interfered with a Bill already referred to a select committee, it certainly did not do so; at the same time, he thought it would be a most useful addendum to that Bill, and he was almost

inclined to suggest that it might not be inconvenient to remit the Bill now before the House to the same committee for consideration and report. To some extent one Bill must hang upon the other, as the persons who would be entitled to sell poisons would include persons licensed under the Pharmacy Bill. He believed it was in order for the House—he did not remember a case in Queensland, but it was not unusual in the House of Commons—to refer a Bill brought before the House to a select committee that might be already sitting, with instructions to report. He simply mentioned that because one Bill formed an addendum to the other. On the whole, the Bill was a very useful one. In other countries it had not been found destructive or unfair to any manufacturing processes, or in any way to restrict the use of chemicals necessary for carrying on the ordinary concerns of life.

The HON. K. I. O'DOHERTY said he regretted that he did not hear the statement of the hon. gentleman in charge of the Bill; but he was very much struck with a remark that fell from the Hon. Mr. Walsh—that the Postmaster-General had led him to think by some memorandum he left on his copy of the Bill that he wished it to be postponed, or that he was not in favour of the measure. He thought, under the circumstances, that it would be only courtesy to the Postmaster-General if the debate on the second reading were postponed in order that they might hear an expression of opinion from the gentleman representing the Government. Whether the Bill ought to be handed over to the Select Committee taking evidence on the Pharmacy Bill, or whether it should be passed on its merits, was a question on which much might be said; but he did not think that necessarily it should be mixed up with the regulation of the pharmacists of the colony. There were many other people who sold poisons, and the Bill in contemplation giving the pharmacists of the colony authority to organise themselves, that they might carry on their own profession in a better form—he could not say that would apply to numbers of others outside that profession who undoubtedly sold poisons, and for whom a Bill like that before the House was necessary. He ventured to suggest to the Hon. Mr. Macpherson that it would be only courtesy to the Postmaster-General to postpone the discussion; and, with the permission of the hon. gentleman, he would move that the debate be adjourned.

The HON. P. MACPHERSON said that, looking at the matter from the light in which the Hon. Dr. O'Doherty had put it, he had not the slightest objection to the adjournment of the debate; on the contrary, he should be most happy to accede to the hon. gentleman's request.

Question—That this debate be now adjourned—put and passed, and resumption of debate made an Order of the Day for Tuesday next.

NEW GUINEA AND PACIFIC JURISDICTION CONTRIBUTION BILL—COMMITTEE.

On the motion of the HON. W. H. WALSH, the President left the chair, and the House resolved itself into a Committee of the Whole to consider this Bill in detail.

Preamble postponed.

On clause 1—“Colony of Queensland to pay share of £15,000 in proportion to population”—

The HON. T. L. MURRAY-PRIOR said he believed they all agreed with the principle of the Bill. It was, however, a question to his mind whether the preamble was not too long.

The HON. SIR A. H. PALMER said he had no intention of opposing the Bill. So far as it

went it was a step in the right direction. But he entered his protest against the Bill being considered a settlement of the question of the annexation of New Guinea. He had formed a very strong opinion as to the appointment of High Commissioner. The Commissioner had not the slightest control over offenders who were the subjects of foreign nations, or over the natives of the islands, though he was able to ride roughshod over Her Majesty's own subjects. He (Sir A. H. Palmer) sincerely hoped the House would not lose sight of that. They were about to pay a sum of money for a doubtful benefit, and he thought it ought to be entered upon the records of that House—at all events, he would, for one, enter his protest—that the appointment of a High Commissioner, whether resident in New Guinea or elsewhere, was not a settlement of the question as to the annexation of New Guinea, or the proper treatment of Her Majesty's subjects in the islands of the Pacific. At present, and it had been the same hitherto, if a subject of Her Majesty committed any offence, no matter how trivial, he was liable to and had been taken hundreds of miles to be tried on an island that he knew nothing of, and before a court of the constitution of which he knew nothing; but against natives who assaulted him or robbed him, or murdered his mate, he had no remedy. Her Majesty's High Commissioner was only authorised to punish subjects of Her Majesty. That fact could not be too often reiterated, too strongly felt and understood by the people of this colony and the neighbouring colonies. He looked upon the present proposal as merely trifling with the matter of the annexation of New Guinea and the protection of Her Majesty's subjects in the Pacific. But as he had said it was the first step towards the annexation of that island, which he thought the colonies generally desired should take place. The High Commissioner would probably do very little good, and it was to be hoped that he would do very little harm. He had pointed out that the High Commissioner's Court gave no assistance whatever to British subjects when they were harassed by natives of the Pacific Islands, or by subjects of foreign nations. As he had already said, he had no intention of opposing the Bill.

The Hon. A. C. GREGORY said, while he did not intend to oppose the measure, he must say that he agreed with a great deal that had fallen from the Hon. Sir A. H. Palmer. At the same time, he thought the Bill might be viewed as the first instalment of federation; and that they should not throw it out, as their action might afterwards be used against them. That they would get very little benefit from the measure beyond obtaining a voice in questions that might arise with regard to the policy pursued in the Pacific, there could be very little doubt. If they contributed towards the maintenance of a High Commissioner, they would certainly be entitled to give some expression of opinion to the Home Government in reference to the policy which would be pursued in the Pacific. Whether their representations would be attended to was another question. He felt certain that federation was a long way off yet. The parent colony of Australia had certain interests which were opposed to it, and those interests appeared to be interfered with by Queensland. They would see very decided opposition when the time came for working out the federation scheme. Any objection that might be raised to federation would, he thought, be in consequence of personal interests. The public interest was most decidedly in favour of the establishment of the federal system. He would support the Bill.

Question put and passed.

Clauses 2 to 5, inclusive, passed as printed.

On the preamble—

The Hon. SIR A. H. PALMER said before the question was put he wished to call the attention of the hon. member in charge of the Bill to the concluding clause of the preamble, which he thought would have been taken notice of at once by the Postmaster-General, had that hon. gentleman been present in the House. The part to which he took objection was as follows:—

"And whereas we, Your Majesty's dutiful and loyal subjects, the members of the Legislative Assembly of Queensland, are desirous of making permanent provision for defraying, out of the Consolidated Revenue Fund of Queensland, a proportionate part of the cost to be incurred by Your Majesty in giving effect to the foregoing resolutions or any of them."

They were not members of "the Legislative Assembly of Queensland," and how they were supposed to pass a Bill with such a statement in the preamble he confessed he was not at present, with the light he had, able to see. There might be some explanation on the subject, but he could not see it. He should have thought that it ought to have been the "members of the Parliament of Queensland." He decidedly objected to calling himself a "member of the Legislative Assembly of Queensland." He was not, nor was any other hon. member of that House.

The Hon. W. H. WALSH said there was some force in the objection of the Hon. Sir A. H. Palmer. The Council was not, however, ignored altogether. The preamble distinctly referred to the Legislative Council further on, and he did not think it was a very important matter.

The Hon. SIR A. H. PALMER said he was quite aware of that portion of the clause which said—

"Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—"

But that was not what he pointed out. It was that by passing the preamble as it stood they were representing themselves as "members of the Legislative Assembly of Queensland," which they certainly were not. If the hon. member in charge of the Bill would not amend it, he would move that before the words "Legislative Assembly," there be inserted "Legislative Council." If the clause was passed as it stood they would absolutely waive their right to any interference with the public funds, and would simply have to approve and register what the Legislative Assembly chose to do. It was the Legislative Assembly who were "desirous of making permanent provision for defraying out of the Consolidated Revenue Fund," etc., and that House was simply to record its approval. He thought it was highly improper that such a Bill should have come up to the House.

The Hon. W. H. WALSH said he quite agreed with the objection which had been taken. He confessed that it was a Bill he did not like at all, personally. Probably, however, the proper course to adopt would be to accept the amendment of Sir A. H. Palmer.

The Hon. P. MACPHERSON said the form used in Appropriation Acts was the same:—

"Whereas we, your Majesty's most dutiful and loyal subjects, the members of the Legislative Assembly of Queensland in Parliament assembled, have in the present session of Parliament cheerfully granted to your Majesty the sum hereinafter mentioned towards the service of the year ending, etc. * * * * * Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland."

And he might point out that the Legislative Assembly were the keepers of the public purse.

THE HON. A. C. GREGORY said that at first he was inclined to think they ought to add the words "Legislative Council," but on reference to the Appropriation Acts it appeared that the preamble was in the customary form, and under the circumstances there was no reason for departing from that custom, especially as the necessity for the concurrence of the Legislative Council was stated in the latter part of the preamble.

THE HON. SIR A. H. PALMER said he believed the explanation was satisfactory. He must confess that he had never read an Appropriation Bill in his life, and certainly never a preamble. With the consent of the Committee he would withdraw the amendment.

Amendment, by leave, withdrawn.

THE HON. SIR A. H. PALMER said the question of reading the preamble was mooted the last time the House was in Committee, and he had since looked up authorities. Every hon. member was aware that, where they had no positive rule on any subject, the practice of the House of Lords was to be followed in all cases. They had no Standing Order whatever on the question of reading the preamble, and if hon. gentlemen would look at the preamble on the present occasion they would see that it was twice the length of the Bill—in fact, a good many of the preambles lately had been very much longer than the Bills. The practice of the House of Lords was deliberately laid down, and he would again call the attention of hon. gentlemen to the fact that, where they had no Standing Order of their own, they were bound by the procedure of the House of Lords, where it was distinctly laid down that the preamble was read in short. It was very desirable that the Committee should follow that rule. It was not of much consequence on that occasion, because they had plenty of time; but on many occasions it was desirable to get through the business as rapidly as possible, and why they should be detained by the whole preamble being read, he, for one, could not see.

THE HON. A. C. GREGORY said that, according to the Standing Orders, the preamble was to be dealt with last, and it seemed unnecessary that there should be any motion in the first instance that the preamble be postponed. He did not in any way object to what the Chairman had been in the habit of doing, but unless they were to suspend the Standing Orders there could be no question as to whether the preamble should be read last or not, and it would be sufficient for the Chairman to say, "Preamble postponed," or, "In accordance with the Standing Order, the preamble is postponed." Or he might simply begin with clause 1. He noticed that in the House of Lords some rather peculiar methods were adopted at times. Generally speaking, they dealt with the title of a Bill first, and the preamble was usually left till last. Debates had arisen, and the preamble read in the first instance; but that was not customary. As a matter of course, their own Standing Orders fixed what was to be done in that House. In the House of Lords, he observed that it was the practice to read the marginal note of the preamble; therefore it was sufficient for the Chairman, instead of reading the whole, to simply say "Preamble." In the measure before the Committee, there were forty lines of preamble and not thirty lines of Bill. They would not be much edified by hearing the preamble read, and it was very desirable that something should be done in regard to the matter. Possibly, the best way would be to pass the measure through, and afterwards pass a short resolution to the effect that the House considered it unnecessary to have the preamble read in full.

THE HON. W. H. WALSH said that, as the Hon. Sir A. H. Palmer had pointed out, they actually had no Standing Order on the subject, and they must be guided by the practice of the House of Lords. That could be done at once without any resolution.

THE HON. SIR A. H. PALMER said he did not wish hon. members to take his *ipse dixit* on the subject. He would read what May said—

"When all the clauses and schedules have been agreed to, and any new clauses or schedules added, the preamble, which had been postponed, is considered, and if necessary is amended, so as to conform to amendments made in the Bill, and the Chairman puts the question, 'That this be the preamble of the Bill,' which he reads (short) to the Committee."

The last time the question was mooted the Chairman objected, and said he would always read the preamble until he received instructions to the contrary; but the very next Bill passed through committee without his reading the preamble: the motion was made by the Postmaster-General that the preamble be the preamble of the Bill, and it was carried without the preamble being read. The question needed no reference to the House. They had only to follow the practice of the House of Lords, and not have the preamble read except short.

THE CHAIRMAN said that he would suggest to hon. members that, as it had been the practice ever since he had been Chairman of Committees to read the whole preamble, it would be better to move a resolution on the subject. There was nothing to show him that he ought not to read the preamble, as he had always done.

THE HON. W. H. WALSH said he thought the Chairman had not caught the words of the Hon. Sir A. H. Palmer, who had shown that it was not the practice of the House of Lords to read the whole preamble.

THE CHAIRMAN said it was the practice of that Chamber.

THE HON. W. H. WALSH said they had no Standing Order on the subject, and anything would be better than wasting time in that way.

THE CHAIRMAN said he could have read the preamble in about two minutes.

THE HON. SIR A. H. PALMER said it was not a question of the time it would now take, but one for their future guidance. It was not at all necessary to pass a resolution; the sense of the Committee would be quite sufficient. A bad practice continued for twenty years did not become a good practice.

THE CHAIRMAN: What is the sense of the Committee? Do you make any motion?

THE HON. W. H. WALSH: Read it short.
Preamble put and passed.

The House resumed, and the CHAIRMAN reported the Bill without amendment. The report was adopted, and the third reading of the Bill made an Order of the Day for Tuesday next.

ADJOURNMENT.

THE HON. W. H. WALSH moved the adjournment of the House, and, in doing so, said he did not think there would be any occasion for the House to meet again till next week. He would, therefore, ask some hon. member kindly to move an amendment to adjourn till Tuesday next.

THE HON. P. MACPHERSON moved, as an amendment, that the House adjourn till Tuesday next.

Question, as amended, put and passed.

The House adjourned at twenty-seven minutes to 6 o'clock.